

1 ARNOLD & PORTER LLP  
2 MAURICE A. LEITER (State Bar No. 123732)  
3 maury.leiter@aporter.com  
4 777 South Figueroa Street, 44th Floor  
5 Los Angeles, California 90017-5844  
6 Telephone: +1 213.243.4000  
7 Facsimile: +1 213.243.4199

8 ARNOLD & PORTER LLP  
9 MICHAEL J. BAKER (State Bar No. 56492)  
10 michael.baker@aporter.com  
11 SHARON D. MAYO (State Bar No. 150469)  
12 sharon.mayo@aporter.com  
13 JEREMY M. MCLAUGHLIN (State Bar No. 258644)  
14 jeremy.mclaughlin@aporter.com  
15 Three Embarcadero Center, 10th Floor  
16 San Francisco, California 94111-4024  
17 Telephone: +1 415.471.3100  
18 Facsimile: +1 415.471.3400

19 *Attorneys for Defendant Bristol-Myers Squibb Company*

20 [Additional Counsel Listed At Signature Page]

21 UNITED STATES DISTRICT COURT  
22 NORTHERN DISTRICT OF CALIFORNIA  
23 SAN FRANCISCO DIVISION

24 EDWARD BUSTAMANTE *et al.*,

No. 13-5586 RS

25 Plaintiff,

26 v.

**JOINT STIPULATION AND  
[PROPOSED] ORDER TO STAY  
LITIGATION PENDING TRANSFER TO  
THE PLAVIX® MDL**

27 BRISTOL-MYERS SQUIBB COMPANY,  
28 MCKESSON CORPORATION, and  
DOES 1 to 100,

Defendants.

Judge: Hon. Richard Seeborg

1 This Joint Stipulation is made by and between Plaintiffs in *Bustamante et al. v. Bristol-*  
2 *Myers Squibb Co. et al.*, No. CV-13-5586 RS (N.D. Cal.), and Defendant Bristol-Myers Squibb  
3 Company (“BMS”) (collectively “the Parties”), by and through the undersigned counsel of record,  
4 with reference to the following facts:

5 1. WHEREAS, on February 12, 2013, the Judicial Panel on Multidistrict Litigation  
6 (“JPML”) established a multidistrict Plavix® litigation in the District of New Jersey, assigned to  
7 Judge Freda Wolfson;

8 2. WHEREAS, on November 27, 2013, Plaintiffs filed the *Bustamante* action in the  
9 Superior Court of California, San Francisco County;

10 3. WHEREAS, on December 3, 2013, the *Bustamante* action was removed to this Court  
11 by Defendant BMS;

12 4. WHEREAS, on December 9, 2013, Defendant BMS tagged this case for transfer to  
13 the Plavix® MDL and anticipates that the JPML will issue a conditional transfer order for this case  
14 soon; and

15 5. WHEREAS, the parties agree that the *Bustamante* action should be stayed pending  
16 its anticipated transfer to the Plavix® MDL in the District of New Jersey.

17  
18 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the Court’s  
19 approval, that the *Bustamante* action should be stayed pending its anticipated transfer to the  
20 Plavix® MDL in the District of New Jersey.

21  
22 **IT IS SO STIPULATED.**  
23  
24  
25  
26  
27  
28

1  
2 Dated: December 12, 2013

Joshua C. Ezrin  
AUDET & PARTNERS, LLP  
221 Main Street, Suite 1460  
San Francisco, CA 94105

5 Daniel C. Burke  
6 PARKER WAICHMAN LLP  
7 6 Harbor Park Drive  
8 Port Washington, New York 11050

9 By: /s/ Joshua C. Ezrin  
Joshua C. Ezrin

10 *Attorney for Plaintiffs*

11  
12 Dated: December 12, 2013

ARNOLD & PORTER LLP  
Three Embarcadero Center, 10th Floor  
San Francisco, CA 94111

15 By: /s/ Jeremy M. McLaughlin  
16 JEREMY M. McLAUGHLIN

17 *Attorneys for Defendant*  
18 *Bristol-Myers Squibb Company*

19  
20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21  
22 Date: 12/16/13

23   
24 Judge Richard Seeborg  
25 U.S. District Judge  
26  
27  
28

1 I, Jeremy M. McLaughlin, am the ECF User whose ID and password are being used to file  
2 this Stipulation and [Proposed] Order to Stay Litigation Pending Transfer to the Plavix® MDL. In  
3 compliance with General Order 45, X.B, I hereby attest that Joshua C. Ezrin has concurred in this  
4 filing.

5  
6 Dated: December 12, 2013

ARNOLD & PORTER LLP

7  
8 By: /s/ Jeremy M. McLaughlin  
9 JEREMY M. McLAUGHLIN

10 *Attorneys for Defendant*  
11 *Bristol-Myers Squibb Company*  
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